



AMENDMENT TRANSMITTAL LETTER

Docket No.
SPINE 3.0-452 CONT

Application No.
10/715,965-Conf. #5392

Filing Date
November 18, 2003

Examiner
P. Philogene

Art Unit
3732

Applicant(s): James D. Ralph and Thomas N. Troxell

Invention: SPACER DEVICE AND INSERTION INSTRUMENT FOR USE IN ANTERIOR CERVICAL FIXATION SURGERY

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	23	- 20 =	3	x 50.00	150.00
Independent Claims	2	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					150.00

Large Entity Small Entity

No additional fee is required for this amendment.

Please charge Deposit Account No. _____ in the amount of \$ 150.00
A duplicate copy of this sheet is enclosed.

A check in the amount of \$ _____ to cover the filing fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge and credit Deposit Account No. 12-1095
as described below. A duplicate copy of this sheet is enclosed.

Credit any overpayment.

Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Michael J. Doherty
Michael J. Doherty

Dated: January 11, 2007

Attorney/Agent Reg. No.: 40,592

LERNER, DAVID, LITTBENBERG, KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 518-6337

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 11, 2007

Signature: Michael J. Doherty (Michael J. Doherty)



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 11, 2007 Signature: Michael J. Doherty
(Michael J. Doherty)

Docket No.: SPINE 3.0-452 CONT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: :
Ralph et al. :
Application No.: 10/715,965 : Group Art Unit: 3733
Filed: November 18, 2003 : Examiner: Not Yet
Assigned :
For: SPACER DEVICE AND INSERTION :
INSTRUMENT FOR USE IN ANTERIOR :
CERVICAL FIXATION SURGERY :

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action mailed September 19, 2006, Applicants submit the following amendments and remarks.